

1 JOSEPH W. COTCHETT (#36324)  
2 STEVEN N. WILLIAMS (#175489)  
3 **COTCHETT, PITRE & McCARTHY, LLP**  
4 San Francisco Airport Office Center  
5 840 Malcolm Road, Suite 200  
6 Burlingame, CA 94010  
7 Telephone: (650) 697-6000  
8 Facsimile: (650) 697-0577  
9 jcotchett@cpmlegal.com  
10 swilliams@cpmlegal.com

11 *Lead Counsel for the Direct Purchaser Class*

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

IN RE STATIC RANDOM ACCESS ) **Master File No. 4:07-md-01819-CW**  
MEMORY (SRAM) ANTITRUST )  
LITIGATION ) **MDL No. 1819**  
\_\_\_\_\_  
This Document Relates to: )  
ALL DIRECT PURCHASER ACTIONS )  
\_\_\_\_\_  
Date: **March 14, 2013**  
Time: **2:00 p.m.**  
Location: **Courtroom 2, 4th Floor**  
Judge: **The Honorable Claudia Wilken**

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Law Offices  
COTCHETT, PITRE  
& McCARTHY

DECLARATION OF MARKHAM SHERWOOD IN SUPPORT OF MOTION FOR AN  
ORDER AUTHORIZING DISTRIBUTION OF SETTLEMENT FUND;  
Case No. 4:07-md-01819-CW, MDL No. 1819

I, Markham Sherwood, declare:

1. I am employed by Gilardi & Co., LLC (“Gilardi”), the court-appointed Claims Administrator for the SRAM Antitrust Litigation Settlement (“Settlement”). I am over 21 years of age and am not a party to this action. I am the Case Manager assigned to this case by Gilardi and have personal knowledge of the facts set forth herein, and if called as a witness, could and would testify competently thereto.

2. I submit this declaration in order to provide the Court and the parties to the above-captioned litigation with information regarding the dissemination and processing of the Proof of Claim Form (“Claim Form”) and allocation and distribution of the Net Settlement Fund (the “Fund”) to the Settlement Class.

3. Pursuant to the Order Approving Notice to the Class Regarding Preliminary Approval of Class Action Settlements with Defendants Samsung and Cypress dated March 28, 2011, Gilardi was appointed the Class Administrator. Gilardi has overseen, among other things, the process of providing notice about the Settlement and Claim Forms submitted, has calculated the *pro rata* share for each Class Member who filed a valid Claim (“Claimants”), and will distribute the Fund to Claimants.

## **DISSEMINATION OF CLAIM FORM**

4. On or before November 17, 2011, pursuant to the November 2, 2011 Order Approving Claim Form and Claim Period for Direct Purchaser Action (Dkt. No. 1416) (“November 2 Order”), Gilardi mailed the Claim Form to 5,255 entities and electronically mailed a notification that Claim Forms were available (“e-mail notification”) to 491 entities. A copy of the e-mail notification is attached as **Exhibit A**. The claim form was also available on Gilardi’s company website, [www.gilardi.com/sramcase](http://www.gilardi.com/sramcase). A copy of the Claim Form is attached as **Exhibit B**.

5. As a result of the mailings of the Notice of Pendency of Class Action and Partial Class Action Settlements, and during the normal course of the administration of the Settlements, the mailing list for the Claim Form changed as a result of the following:

DECLARATION OF MARKHAM SHERWOOD IN SUPPORT OF MOTION FOR AN  
ORDER AUTHORIZING DISTRIBUTION OF SETTLEMENT FUND;  
Case No. 4:07-md-01819-CW, MDL No. 1819

- a. Gilardi manipulated the data to ensure adequate formatting and to remove duplicate name and address records;
- b. Gilardi submitted the names and physical addresses to the United States Postal Service (“USPS”) National Change of Address Service (“NCOA”) to ensure adequate physical address formatting, obtain current physical addresses and qualify for postal discounts;
- c. Gilardi updated Claimants’ addresses pursuant to their written requests;
- d. Gilardi updated Claimant’s addresses as a result of receiving forwarding addresses from the USPS or addresses found through a trace processing service;
- e. Gilardi added Claimants and their addresses, per their request for previous Notices;
- f. Gilardi removed Claimants’ names from the mailing list due to failure to obtain a deliverable address during the administration of the settlements and failure to receive a deliverable address prior to the Claim Form mailing in the current action; and

6. Of the 491 e-mail notifications sent, 158 e-mails were returned as undeliverable. Where physical addresses were available, Gilardi mailed Claim Forms by standard first-class mail, postage pre-paid, to these records.

7. Additional Claim Forms were mailed by standard first-class mail, postage prepaid, to 7 entities, at their request. The USPS returned 22 Claim Forms as undeliverable with a forwarding address, and Gilardi re-mailed Claim Forms to all forwarding addresses provided.

8. The USPS returned 1,670 Claim Forms as undeliverable without forwarding addresses. Gilardi used a trace processing service to obtain updated addresses for Claim Forms returned as undeliverable and received 192 updated addresses. Gilardi subsequently re-mailed Claim Forms to these updated addresses.

9. On or before November 17, 2011, Gilardi established a toll-free number (866-252-7551) and dedicated a Post Office Box to respond to inquiries and communications from Claimants.

## **CLAIMS PROCESSING & AUDITING**

10. Gilardi received and processed 236 Claim Forms. For quality control purposes, each paper and on-line Claim Form submitted was given a unique claim number and entered into Gilardi's proprietary database.

11. From March 3, 2012 through January 7, 2013, Gilardi reviewed each submitted Claim Form to determine whether it was valid and included all required information.

12. Of the 236 claims received, Gilardi identified 28 duplicate claims, and 12 claims were withdrawn by Class Members, leaving 196 unique remaining claims. Of these, Gilardi determined that certain Claim Forms were missing information that was necessary to confirm the validity of the claim or a Claimant's *pro rata* share.

13. Of the unique remaining claims, 10 Claim Forms did not contain purchase information, 107 Claim Forms either did not appear in the sales data provided by the Defendants (“Defendant Records”) or indicated purchase totals in excess of the amounts demonstrated in Defendant Records, and 65 Claim Forms fell into both of the above categories (for a total of 182 deficient claims).

14. On September 25, 2012 Gilardi mailed a Notice of Deficient Claim, Request for Documentation, or Notice of Deficient Claim and Request for Documentation (collectively the “Audit Letters”) to these Claimants, advising the Claimants that unless the indicated deficiency was corrected or requested documentation was provided within fourteen (14) days, his or her filing of a Claim Form may be denied. Pre-merge versions of the Audit Letters are attached as

## Exhibit C.

15. Gilardi reviewed documentation supplied by Claimants in response to the Audit Letters, which was comprised of documentation in the form of invoices, payment confirmations, purchase orders, spreadsheets, and other such documentation.

16. Ultimately, as a result of Gilardi's document review, 38 claims were approved at or above the amount submitted on their Claim Form; 25 claims were approved at reduced amounts for a variety of reasons including but not limited to: inclusion of foreign purchases, purchases outside the Class Period, purchases made from a company other than a defendant, or purchases that were not SRAM; 8 claims were denied for a variety of reasons including but not limited to: late submission, lack of available records, inclusion of foreign purchases, purchases made from a company other than a defendant, or purchases that were not SRAM; and 125 claims were denied as they provided no response to the Audit Letters. Where possible, Gilardi followed up with these 125 via email one time.

17. In sum, after the completion of audits, document review, and communications with potential Class Members, 63 claims were approved in their entirety or at reduced amounts. A total of 133 claims are being recommended for denial. A list of claims recommended for denial is attached as **Exhibit D**. To protect the privacy of these Claimants, their names have been redacted.

18. After the completion of processing and auditing claims, there are 63 Claimants recommended for approval (the “Authorized Claimants”). A list of the Authorized Claimants and their percentages of the Net Settlement Fund are attached as **Exhibit E**. To protect the privacy of the Authorized Claimants, their names have been redacted.

## ALLOCATION OF THE NET SETTLEMENT FUND

19. Upon the approval of this Court, Gilardi intends to mail Authorized Claimants their *pro rata* portion of the Net Settlement Fund.

I declare under the penalty of perjury of the laws of the United States of America that the foregoing is true and correct. Executed this 28th day of 2013 at San Rafael, California.

*/s/ Markham Sherwood*  
**MARKHAM SHERWOOD**

DECLARATION OF MARKHAM SHERWOOD IN SUPPORT OF MOTION FOR AN  
ORDER AUTHORIZING DISTRIBUTION OF SETTLEMENT FUND;

# **EXHIBIT A**

From: SRAMD Notice [mailto: sramcase@classactmail.com]  
Sent: Thursday, November 17, 2011  
To: <><ClassMemberName>>  
Subject: SRAM Direct Purchaser Antitrust Litigation – Official Court Ordered Notice -  
Important Settlement Information

You may be a class member in the above-entitled lawsuit if you purchased Static Random Access Memory in the United States between November 1, 1996 and December 31, 2005. Important information for class members is available in the Settlement Documents by going to [www.sramcase.com](http://www.sramcase.com). To file a Proof of Claim online, click [here](#).

This message was intended for: <><ClassMemberEmail>>  
You were added to the system November 17, 2011. For more information click [here](#).  
[Update your preferences](#) | [Unsubscribe](#)

# **EXHIBIT B**

**PROOF OF CLAIM**  
*In re Static Random Access Memory*  
*(SRAM) Antitrust Litigation*  
Case No. 4:07-md-01819-CW

# SRAMD

**Last date to submit Claim is March 2, 2012.**

ClaimIDBarcode ClaimIDBarcode

Name1

Name2 Name3

Addr1 Addr2

City, State Zip-Zip4 FCity FCountry

## PART 1: IMPORTANT INFORMATION

YOU MAY BE A CLASS MEMBER IN THE ABOVE ENTITLED LAWSUIT IF YOU PURCHASED STATIC RANDOM ACCESS MEMORY (SRAM) IN THE UNITED STATES BETWEEN

**NOVEMBER 1, 1996 AND DECEMBER 31, 2005**  
**DIRECTLY FROM ANY OF THE FOLLOWING COMPANIES**  
**(OR THEIR SUBSIDIARIES OR AFFILIATES):**

- Cypress Semiconductor
- Etron Technology, Inc.
- Etron Technology America, Inc.
- Hitachi, Ltd.
- Hitachi America, Ltd.
- Hynix Semiconductor Inc.
- Hynix Semiconductor America Inc.
- Integrated Silicon Solution, Inc.
- Micron Technology, Inc.
- Micron Semiconductor Products, Inc.
- Mitsubishi Electric Corporation
- Mitsubishi Electric & Electronics USA, Inc.
- NEC Electronics Corporation
- NEC Electronics America, Inc.
- Renesas Technology Corp.
- Renesas Technology America, Inc.
- Samsung Electronics Company, Ltd.
- Samsung Semiconductor, Inc.
- Toshiba Corporation
- Toshiba America Electronic Components, Inc.



FOR CLAIMS  
PROCESSING  
ONLY

**THE CLASS INCLUDES:**

"All persons and entities who, during the period November 1, 1996 through December 31, 2005, purchased non-custom SRAM in the United States directly from Defendants or any subsidiaries or affiliates thereof. Excluded from the class are Defendants, their parent companies, subsidiaries and affiliates, any co conspirators, and all government entities."

You are a Class member if:

- (1) you purchased non-custom SRAM in the United States directly from one or more of the Defendants listed above (or their subsidiaries or affiliates) between November 1, 1996 and December 31, 2005; and,
- (2) you did not previously request to exclude yourself from the Class.

Purchasing SRAM in the United States means SRAM that was billed to or shipped to the United States.

**TYPES OF SRAM**

For purposes of this lawsuit and the Settlements, SRAM means all types of Static Random Access Memory, including high speed or fast SRAM, low power or slow SRAM, synchronous SRAM, asynchronous SRAM, and pseudoSRAM ("PSRAM"). For purposes of this lawsuit and the Settlements, custom SRAM is: (1) SRAM that was designed and sold by only one manufacturer in order to meet a set of defined performance characteristics established by only one purchaser; and, (2) that set of defined performance characteristics was not met by SRAM designed or sold by any other manufacturer; and (3) the SRAM was designed as a completely new SRAM or required substantial change to an already existing SRAM.

**PART 2: CLAIMANT INFORMATION**

Please type or neatly print all information. Report all purchases of non-custom SRAM made directly from any Defendant in the United States during the Class Period. Failure to include all eligible purchases will reduce the amount of your claim. You **DO NOT** need to attach documentation. However, you must keep copies of your purchase orders, invoices, or other documentation of your purchases in case verification of your claim is necessary.

Daytime Telephone Number:

<input type="text"/>	<input type="text"/>	<input type="text"/>	—	<input type="text"/>	<input type="text"/>	<input type="text"/>	—	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Evening Telephone Number:

<input type="text"/>	<input type="text"/>	<input type="text"/>	—	<input type="text"/>	<input type="text"/>	<input type="text"/>	—	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Email Address:

<input type="text"/>																					
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Person to Contact if there are questions regarding this claim:

<input type="text"/>																					
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**PART 3: SCHEDULE OF QUALIFYING PURCHASES IN DOLLARS**  
**FROM NOVEMBER 1, 1996 THROUGH DECEMBER 31, 2005**

In the table below, list the total dollar amount (in U.S. dollars) of your purchases of SRAM made directly in the United States from each defendant during the Class Period. Amounts should be rounded to the nearest dollar. (Example: \$5,252.78 should be entered as \$5,253). Do not include transportation charges, rebates, refunds, credits, etc. If you did not purchase SRAM from a Defendant, or if you settled with a particular Defendant, assigned or transferred your claim, write "No Purchases" in the corresponding Defendant box below.

Cypress Semiconductor, Inc. ....	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>
Etron <sup>1</sup> ....	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>
Hitachi <sup>2</sup> ....	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>
Hynix <sup>3</sup> ....	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>
Integrated Silicon Solutions, Inc. ....	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>
Micron <sup>4</sup> ....	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>
Mitsubishi <sup>5</sup> ....	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>
NEC <sup>6</sup> ....	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>
Renesas <sup>7</sup> ....	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>
Samsung <sup>8</sup> ....	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>
Toshiba <sup>9</sup> ....	\$	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>	,	<input type="text"/>	<input type="text"/>	<input type="text"/>

Pursuant to Court order, the Settlement Fund will be distributed to Class Members based upon the pro rata share of the total amount of eligible SRAM purchases that each Class Member purchased directly from Defendants from November 1, 1996 through December 31, 2005.

**PART 4: SUBMITTING A CLAIM FORM**

Mail the completed Claim Form to:

SRAM Antitrust Settlements  
 c/o Gilardi & Co. LLC  
 PO Box 8060  
 San Rafael, CA 94912-8060

— OR —

Submit a completed Claim Form Online:

**CLAIM FORMS MAY BE FILED ON-LINE AT [www.sramcase.com](http://www.sramcase.com)**

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1. "Etron" means Etron Technology, Inc. and Etron Technology America, Inc.
2. "Hitachi" means Hitachi, Ltd. and Hitachi America, Ltd.
3. "Hynix" means Hynix Semiconductor, Inc. and Hynix Semiconductor America, Inc.
4. "Micron" means Micron Technology, Inc. and Micron Semiconductor Products, Inc.
5. "Mitsubishi" means Mitsubishi Electric Corporation and Mitsubishi Electric & Electronics USA, Inc.
6. "NEC" means NEC Electronics Corporation and NEC Electronics America, Inc.
7. "Renesas" means Renesas Technology Corp. and Renesas Technology America, Inc.
8. "Samsung" means Samsung Electronics Company, Ltd. and Samsung Semiconductor, Inc.
9. "Toshiba" means Toshiba Corporation and Toshiba America Electronic Components, Inc.



**PART 5: SUBMISSION TO JURISDICTION OF THE DISTRICT COURT**

By signing below, you are verifying that:

1. You have documentation to support your claim and agree to provide additional information to Class Counsel or the Claims Administrator if requested;
2. You have not assigned or transferred (or purported to assign or transfer) or settled for the same purchases or submitted any other claim for the same purchases of SRAM and have not authorized any other person or entity to do so, and know of no other person or entity having done so on your behalf; and
3. The information provided in this Claim Form is accurate and complete.

**PART 6: CERTIFICATION**

I (We) certify that I am (we are) NOT subject to backup withholding under the provisions of Section 3406(a)(1)(c) of the Internal Revenue Code because: (a) I am (We are) exempt from backup withholding, or (b) I (We) have not been notified by the I.R.S. that I am (we are) subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the I.R.S. has notified me (us) that I am (we are) no longer subject to backup withholding.

NOTE: If you have been notified by the I.R.S. that you are subject to backup withholding, please strike out the language that you are not subject to backup withholding in the certification above.

I (WE) DECLARE, UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA, THAT THE INFORMATION PROVIDED IN THIS PROOF OF CLAIM FORM IS TRUE AND CORRECT.

This certification was executed on the \_\_\_\_\_ of \_\_\_\_\_, 2011,  
(day) (month)

in \_\_\_\_\_  
(city, state, country)

SIGNATURE OF CLAIMANT: (If this claim is being made on behalf of Joint Claimants, then each must sign).

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Company's Name

\_\_\_\_\_  
Type/Print Name  
\_\_\_\_\_  
Capacity of person signing, e.g. President



# **EXHIBIT C**

**SRAM Direct Purchaser Antitrust Litigation**

c/o Gilardi & Co.

PO Box 8060

San Rafael, CA 94912-8090

**NOTICE OF DEFICIENT CLAIM**

September 25, 2012

«ClaimID»  
«Company\_Name» «Additional\_Names»  
«Third\_Party»  
«Contact\_Name»  
«Addr1» «Addr2»  
«City», «State» «Zip»

Dear «Addressee\_For\_Merge»:

Enclosed is a copy of the Proof of Claim Form which you filed in the above referenced matter on behalf of «Company\_Name». We find your claim to be deficient for the following reason:

**You did not provide the requested purchase data. Please complete the Part 3 excerpt of the Proof of Claim Form on the reverse of this letter and return it in the envelope provided.**

Please return your corrected claim form along with a copy of this letter within fourteen (14) days from the date of this letter. A return envelope is provided for your convenience. Please note that failure to provide the information or documentation requested within fourteen (14) days may result in the denial of your claim.

Sincerely,

Claims Administrator  
Toll Free: 866-252-7551  
Email: [sramcase@classactmail.com](mailto:sramcase@classactmail.com)

«ClaimID»

**SRAM DIRECT PURCHASER PROOF OF CLAIM FORM PART 3: SCHEDULE OF  
QUALIFYING PURCHASES IN DOLLARS FROM NOVEMBER 1, 1996 THROUGH  
DECEMBER 31, 2005**

In the table below, list the total dollar amount (in U.S. dollars) of your purchases of SRAM made directly in the United States from each defendant during the Class Period. Amounts should be rounded to the nearest dollar. (Example: \$5,252.78 should be entered as \$5,253). Do not include transportation charges, rebates, refunds, credits, etc. If you did not purchase SRAM from a Defendant, or if you settled with a particular Defendant, assigned or transferred your claim, write "No Purchases" in the corresponding Defendant box below.

Cypress Semiconductor, Inc. ....	\$ _____, _____, _____
Etron <sup>1</sup> .....	\$ _____, _____, _____
Hitachi <sup>2</sup> .....	\$ _____, _____, _____
Hynix <sup>3</sup> .....	\$ _____, _____, _____
Integrated Silicon Solutions, Inc. ....	\$ _____, _____, _____
Micron <sup>4</sup> .....	\$ _____, _____, _____
Mitsubishi <sup>5</sup> .....	\$ _____, _____, _____
NEC <sup>6</sup> .....	\$ _____, _____, _____
Renesas <sup>7</sup> .....	\$ _____, _____, _____
Samsung <sup>8</sup> .....	\$ _____, _____, _____
Toshiba <sup>9</sup> .....	\$ _____, _____, _____

Pursuant to Court order, the Settlement Fund will be distributed to Class Members based upon the pro rata share of the total amount of eligible SRAM purchases that each Class Member purchased directly from Defendants from November 1, 1996 through December 31, 2005.

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<sup>1</sup> "Etron" means Etron Technology, Inc. and Etron Technology America, Inc.

<sup>2</sup> "Hitachi" means Hitachi, Ltd. and Hitachi America, Ltd.

<sup>3</sup> "Hynix" means Hynix Semiconductor, Inc. and Hynix Semiconductor America, Inc.

<sup>4</sup> "Micron" means Micron Technology, Inc. and Micron Semiconductor Products, Inc.

<sup>5</sup> "Mitsubishi" means Mitsubishi Electric Corporation and Mitsubishi Electric & Electronics USA, Inc.

<sup>6</sup> "NEC" means NEC Electronics Corporation and NEC Electronics America, Inc.

<sup>7</sup> "Renesas" means Renesas Technology Corp. and Renesas Technology America, Inc.

<sup>8</sup> "Samsung" means Samsung Electronics Company, Ltd. and Samsung Semiconductor, Inc.

<sup>9</sup> "Toshiba" means Toshiba Corporation and Toshiba America Electronic Components, Inc.

**SRAM Direct Purchaser Antitrust Litigation**

c/o Gilardi & Co.

PO Box 8060

San Rafael, CA 94912-8090

**REQUEST FOR DOCUMENTATION**

September 25, 2012

«ClaimID»  
«Barcode»  
«Company\_Name» «Additional\_Names»  
«Third\_Party»  
«Contact\_Name»  
«Addr1» «Addr2»  
«City», «State» «Zip»

Dear «Addressee\_For\_Merge»:

We have reviewed your claim in the above referenced matter on behalf of «Company\_Name». On your Proof of Claim Form, you indicated that «Company\_Name» purchased a total of «Submitted\_Allowed\_Loss» of SRAM in the United States directly from the Defendants during the Class Period (November 1, 1996 – December 31, 2005). The Defendants' records indicate that the total purchases made by «Company\_Name» of SRAM in the United States during the Class Period amounts to «Defendant\_Records». Thus, your claim indicates a difference of «Difference» more than what is indicated in the Defendants' records.

If you do not wish to accept the Defendants' records as accurate you must submit sufficient documentation to substantiate your claim within 14 days of the date of this letter. An example of sufficient documentation would be a sampling of actual purchase orders, invoices, or other records demonstrating purchases made directly from one or more of the Defendants during the Class Period along with a copy of «Company\_Name»'s internal recordkeeping for the entire class period. No response will indicate your agreement that the Defendants' records are accurate and shall be used for purposes of calculating your claim and your claim will be revised accordingly.

Sincerely,

Claims Administrator  
Toll Free: 866-252-7551  
Email: [sramcase@classactmail.com](mailto:sramcase@classactmail.com)

**SRAM Direct Purchaser Antitrust Litigation**

c/o Gilardi & Co.

PO Box 8060

San Rafael, CA 94912-8090

**NOTICE OF DEFICIENT CLAIM AND REQUEST FOR DOCUMENTATION**

September 25, 2012

«ClaimID»  
«Barcode»  
«Company\_Name» «Additional\_Names»  
«Third\_Party»  
«Contact\_Name»  
«Addr1» «Addr2»  
«City», «State» «Zip»

Dear «Addressee\_For\_Merge»:

Enclosed is a copy of the Proof of Claim Form which you filed in the above referenced matter on behalf of «Company\_Name». We find your claim to be deficient for the following reason:

**You did not provide the requested purchase data. Please complete the Part 3 excerpt of the Proof of Claim Form on the reverse of this letter and return it in the envelope provided.**

Additionally, please note that the Defendants' records indicate that the total purchases made by «Company\_Name» of SRAM in the United States during the Class Period amounts to \$0.00. As such, you must submit sufficient documentation to substantiate your claim along with the completed Part 3 of the Proof of Claim Form. An example of sufficient documentation would be a sampling of actual purchase orders, invoices, or other records demonstrating purchases made directly from one or more of the Defendants during the Class Period along with a copy of «Company\_Name»'s internal recordkeeping for the entire class period.

Please return your corrected claim form along with a copy of this letter and the requested documentation within fourteen (14) days from the date of this letter. A return envelope is provided for your convenience. Please note that failure to provide the information or documentation requested within fourteen (14) days may result in the denial of your claim.

Sincerely,

Claims Administrator  
Toll Free: 866-252-7551  
Email: [sramcase@classactmail.com](mailto:sramcase@classactmail.com)

«ClaimID»

**SRAM DIRECT PURCHASER PROOF OF CLAIM FORM PART 3: SCHEDULE OF  
QUALIFYING PURCHASES IN DOLLARS FROM NOVEMBER 1, 1996 THROUGH  
DECEMBER 31, 2005**

In the table below, list the total dollar amount (in U.S. dollars) of your purchases of SRAM made directly in the United States from each defendant during the Class Period. Amounts should be rounded to the nearest dollar. (Example: \$5,252.78 should be entered as \$5,253). Do not include transportation charges, rebates, refunds, credits, etc. If you did not purchase SRAM from a Defendant, or if you settled with a particular Defendant, assigned or transferred your claim, write "No Purchases" in the corresponding Defendant box below.

Cypress Semiconductor, Inc. ....	\$ _____, _____, _____
Etron <sup>1</sup> .....	\$ _____, _____, _____
Hitachi <sup>2</sup> .....	\$ _____, _____, _____
Hynix <sup>3</sup> .....	\$ _____, _____, _____
Integrated Silicon Solutions, Inc. ....	\$ _____, _____, _____
Micron <sup>4</sup> .....	\$ _____, _____, _____
Mitsubishi <sup>5</sup> .....	\$ _____, _____, _____
NEC <sup>6</sup> .....	\$ _____, _____, _____
Renesas <sup>7</sup> .....	\$ _____, _____, _____
Samsung <sup>8</sup> .....	\$ _____, _____, _____
Toshiba <sup>9</sup> .....	\$ _____, _____, _____

Pursuant to Court order, the Settlement Fund will be distributed to Class Members based upon the pro rata share of the total amount of eligible SRAM purchases that each Class Member purchased directly from Defendants from November 1, 1996 through December 31, 2005.

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<sup>1</sup> "Etron" means Etron Technology, Inc. and Etron Technology America, Inc.

<sup>2</sup> "Hitachi" means Hitachi, Ltd. and Hitachi America, Ltd.

<sup>3</sup> "Hynix" means Hynix Semiconductor, Inc. and Hynix Semiconductor America, Inc.

<sup>4</sup> "Micron" means Micron Technology, Inc. and Micron Semiconductor Products, Inc.

<sup>5</sup> "Mitsubishi" means Mitsubishi Electric Corporation and Mitsubishi Electric & Electronics USA, Inc.

<sup>6</sup> "NEC" means NEC Electronics Corporation and NEC Electronics America, Inc.

<sup>7</sup> "Renesas" means Renesas Technology Corp. and Renesas Technology America, Inc.

<sup>8</sup> "Samsung" means Samsung Electronics Company, Ltd. and Samsung Semiconductor, Inc.

<sup>9</sup> "Toshiba" means Toshiba Corporation and Toshiba America Electronic Components, Inc.

# **EXHIBIT D**

## SRAM Direct Purchaser Litigation

## Claims Recommended for Denial

1/25/2013

Gilardi Claim ID	Reason for Denial
SRAMD10030760	Class Member no longer has documentation.
SRAMD20001339	Class Member no longer has documentation.
SRAMD40000079	Class Member no longer has documentation.
SRAMD10018271	Late Claim - No purchase data submitted.
SRAMD10003550	No purchase data submitted.
SRAMD20000707	No response to document requests.
SRAMD20000685	No response to document requests.
SRAMD20000405	No response to document requests.
SRAMD20000499	No response to document requests.
SRAMD20000502	No response to document requests.
SRAMD20000561	No response to document requests.
SRAMD20000472	No response to document requests.
SRAMD20000553	No response to document requests.
SRAMD20000537	No response to document requests.
SRAMD20000693	No response to document requests.
SRAMD20000219	No response to document requests.
SRAMD20000243	No response to document requests.
SRAMD40000095	No response to document requests.
SRAMD20000464	No response to document requests.
SRAMD20000642	No response to document requests.
SRAMD20000677	No response to document requests.
SRAMD10039899	No response to document requests.
SRAMD20000669	No response to document requests.
SRAMD20000448	No response to document requests.
SRAMD20000529	No response to document requests.
SRAMD40000400	No response to document requests.
SRAMD40000486	No response to document requests.
SRAMD40000605	No response to document requests.
SRAMD20000170	No response to document requests.
SRAMD40000087	No response to document requests.
SRAMD40000419	No response to document requests.
SRAMD10023500	No response to document requests.
SRAMD40000427	No response to document requests.
SRAMD40000451	No response to document requests.
SRAMD40000435	No response to document requests.
SRAMD40000460	No response to document requests.
SRAMD40000494	No response to document requests.
SRAMD40000532	No response to document requests.
SRAMD40000508	No response to document requests.
SRAMD40000656	No response to document requests.
SRAMD40000443	No response to document requests.
SRAMD20000812	No response to document requests.
SRAMD40000397	No response to document requests.
SRAMD20001398	No response to document requests.
SRAMD20001410	No response to document requests.
SRAMD20001401	No response to document requests.
SRAMD20001380	No response to document requests.
SRAMD20000391	No response to document requests.
SRAMD20000383	No response to document requests.
SRAMD20000235	No response to document requests.
SRAMD20000227	No response to document requests.

## SRAM Direct Purchaser Litigation

## Claims Recommended for Denial

1/25/2013

Gilardi Claim ID	Reason for Denial
SRAMD20000456	No response to document requests.
SRAMD20000545	No response to document requests.
SRAMD20000618	No response to document requests.
SRAMD20000570	No response to document requests.
SRAMD20000596	No response to document requests.
SRAMD20000650	No response to document requests.
SRAMD40000699	No response to document requests.
SRAMD20000480	No response to document requests.
SRAMD20000600	No response to document requests.
SRAMD20000413	No response to document requests.
SRAMD20000430	No response to document requests.
SRAMD20000634	No response to document requests.
SRAMD20000588	No response to document requests.
SRAMD20000421	No response to document requests.
SRAMD20000510	No response to document requests.
SRAMD90000064	No response to document requests.
SRAMD20000260	No response to document requests.
SRAMD20000278	No response to document requests.
SRAMD20000014	No response to document requests.
SRAMD20000022	No response to document requests.
SRAMD20000030	No response to document requests.
SRAMD20000049	No response to document requests.
SRAMD20000057	No response to document requests.
SRAMD20000065	No response to document requests.
SRAMD20000103	No response to document requests.
SRAMD20000111	No response to document requests.
SRAMD20000120	No response to document requests.
SRAMD20000146	No response to document requests.
SRAMD20000154	No response to document requests.
SRAMD20000162	No response to document requests.
SRAMD20000197	No response to document requests.
SRAMD20000375	No response to document requests.
SRAMD20000774	No response to document requests.
SRAMD20000782	No response to document requests.
SRAMD20000790	No response to document requests.
SRAMD20000804	No response to document requests.
SRAMD20000820	No response to document requests.
SRAMD20000839	No response to document requests.
SRAMD20000847	No response to document requests.
SRAMD20000855	No response to document requests.
SRAMD20000863	No response to document requests.
SRAMD20000871	No response to document requests.
SRAMD20000898	No response to document requests.
SRAMD20000910	No response to document requests.
SRAMD20000928	No response to document requests.
SRAMD20000944	No response to document requests.
SRAMD20000952	No response to document requests.
SRAMD20000960	No response to document requests.
SRAMD20000979	No response to document requests.
SRAMD20000987	No response to document requests.
SRAMD20000995	No response to document requests.

## SRAM Direct Purchaser Litigation

## Claims Recommended for Denial

1/25/2013

Gilardi Claim ID	Reason for Denial
SRAMD20001002	No response to document requests.
SRAMD20001010	No response to document requests.
SRAMD20001029	No response to document requests.
SRAMD20001037	No response to document requests.
SRAMD20001045	No response to document requests.
SRAMD20001053	No response to document requests.
SRAMD20001061	No response to document requests.
SRAMD20001070	No response to document requests.
SRAMD20001088	No response to document requests.
SRAMD20001096	No response to document requests.
SRAMD20001100	No response to document requests.
SRAMD20001126	No response to document requests.
SRAMD20001142	No response to document requests.
SRAMD20001150	No response to document requests.
SRAMD20001169	No response to document requests.
SRAMD20001177	No response to document requests.
SRAMD20001185	No response to document requests.
SRAMD20001193	No response to document requests.
SRAMD20001207	No response to document requests.
SRAMD20001215	No response to document requests.
SRAMD20001223	No response to document requests.
SRAMD20001231	No response to document requests.
SRAMD40000320	No response to document requests.
SRAMD40000338	No response to document requests.
SRAMD20001347	No response to document requests.
SRAMD20001363	No response to document requests.
SRAMD20001371	No response to document requests.
SRAMD10028749	Purchases do not qualify.
SRAMD40000664	Purchases do not qualify.
SRAMD40000311	Purchases do not qualify.
SRAMD40000680	Purchases do not qualify.

Breakdown of Reasons for Denial:	
Class Member no longer has documentation.	3
Late Claim - No purchase data submitted.	1
No purchase data submitted.	1
No response to document requests.	124
Purchases do not qualify.	4

Total: 133

# **EXHIBIT E**

## SRAM Direct Purchaser Litigation

## Authorized Claimants

1/28/2013

ClaimID	Recommended Approved Amount	Recommended Distribution Amount	Percentage of Net Settlement Fund
SRAMD40000346	\$3,475.00	\$50.58	0.0001%
SRAMD10004165	\$3,640.00	\$52.98	0.0001%
SRAMD20001134	\$5,200.00	\$75.69	0.0002%
SRAMD20000740	\$8,991.00	\$130.87	0.0003%
SRAMD40000389	\$14,026.50	\$204.17	0.0004%
SRAMD20000901	\$31,500.00	\$458.51	0.0009%
SRAMD40000370	\$42,897.00	\$624.41	0.0012%
SRAMD40000060	\$60,423.00	\$879.51	0.0017%
SRAMD90000056	\$63,900.00	\$930.12	0.0018%
SRAMD40000478	\$76,225.00	\$1,109.53	0.0022%
SRAMD10037586	\$126,299.00	\$1,838.40	0.0037%
SRAMD10027521	\$152,620.00	\$2,221.53	0.0044%
SRAMD20001258	\$153,438.00	\$2,233.43	0.0044%
SRAMD20001282	\$218,515.00	\$3,180.69	0.0063%
SRAMD10026029	\$230,517.00	\$3,355.39	0.0067%
SRAMD20000138	\$245,378.00	\$3,571.71	0.0071%
SRAMD20001118	\$344,068.00	\$5,008.23	0.0099%
SRAMD40000630	\$496,667.30	\$7,229.46	0.0144%
SRAMD40000290	\$516,569.00	\$7,519.15	0.0149%
SRAMD20001290	\$516,569.00	\$7,519.15	0.0149%
SRAMD40000559	\$564,925.00	\$8,223.02	0.0163%
SRAMD40000524	\$723,843.00	\$10,536.22	0.0209%
SRAMD20000324	\$759,499.00	\$11,055.22	0.0220%
SRAMD20001355	\$975,226.00	\$14,195.33	0.0282%
SRAMD40000036	\$1,037,120.00	\$15,096.26	0.0300%
SRAMD10023097	\$1,088,404.00	\$15,842.74	0.0315%
SRAMD40000052	\$1,293,498.00	\$18,828.08	0.0374%
SRAMD40000354	\$1,669,877.00	\$24,306.63	0.0483%
SRAMD20000340	\$1,678,555.00	\$24,432.95	0.0485%
SRAMD40000540	\$1,977,000.00	\$28,777.10	0.0571%
SRAMD10032991	\$3,232,552.00	\$47,052.84	0.0934%
SRAMD40000516	\$3,415,466.00	\$49,715.32	0.0987%
SRAMD10033262	\$3,934,889.43	\$57,276.02	0.1137%
SRAMD20000880	\$3,943,955.00	\$57,407.98	0.1140%
SRAMD40000672	\$4,336,953.00	\$63,128.43	0.1253%
SRAMD10040951	\$4,854,103.00	\$70,656.04	0.1403%
SRAMD10037098	\$5,313,553.49	\$77,343.77	0.1536%
SRAMD10034587	\$5,592,338.00	\$81,401.74	0.1616%
SRAMD20001304	\$6,582,153.00	\$95,809.43	0.1902%
SRAMD20000723	\$7,197,612.00	\$104,768.02	0.2080%
SRAMD10034528	\$7,435,970.00	\$108,237.54	0.2149%
SRAMD40000648	\$9,116,629.00	\$132,701.12	0.2635%
SRAMD40000230	\$9,763,361.00	\$142,114.91	0.2822%
SRAMD40000141	\$12,984,933.74	\$189,007.93	0.3753%
SRAMD40000044	\$13,480,001.00	\$196,214.10	0.3896%
SRAMD40000109	\$14,038,984.00	\$204,350.62	0.4058%
SRAMD20000367	\$16,806,791.00	\$244,638.66	0.4858%
SRAMD10041788	\$30,511,695.00	\$444,126.44	0.8819%
SRAMD10049967	\$51,507,443.00	\$749,739.31	1.4887%
SRAMD40000621	\$59,062,271.00	\$859,706.94	1.7070%
SRAMD10023143	\$64,705,954.02	\$941,856.06	1.8702%
SRAMD40000362	\$66,535,245.00	\$968,483.11	1.9230%

## SRAM Direct Purchaser Litigation

## Authorized Claimants

1/28/2013

ClaimID	Recommended Approved Amount	Recommended Distribution Amount	Percentage of Net Settlement Fund
SRAMD20000766	\$67,705,340.71	\$985,514.95	1.9569%
SRAMD40000028	\$67,761,223.00	\$986,328.37	1.9585%
SRAMD20000731	\$71,125,512.00	\$1,035,298.77	2.0557%
SRAMD10019839	\$86,150,219.00	\$1,253,997.52	2.4900%
SRAMD20000758	\$89,029,665.00	\$1,295,910.56	2.5732%
SRAMD10027467	\$133,770,227.00	\$1,947,151.55	3.8663%
SRAMD40000117	\$156,854,604.00	\$2,283,166.38	4.5335%
SRAMD10022767	\$195,548,044.35	\$2,846,385.82	5.6518%
SRAMD20000715	\$274,674,067.00	\$3,998,139.55	7.9388%
SRAMD10040668	\$506,175,973.75	\$7,367,867.68	14.6297%
SRAMD10048855	\$1,391,683,163.00	\$20,257,258.19	40.2231%

	\$3,459,909,756.29	\$50,362,242.73	100%
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Net Settlement Fund	\$50,362,242.73
Pro-Rate	1.46%